

ISSUES RAISED REGARDING THE MIDTOWN AT WESTFIELD PUD PROPOSAL

The list below includes issues that were raised during the July 15, 2019, Plan Commission public hearing and in written comments submitted prior to and since the public hearing, as compiled by the Community Development Department. Duplicate or similar issues have been consolidated and simplified for purposes of this list.

1. What can be done to ensure that the tree preservation discussed will occur?

The ordinance has been revised to incorporate a requirement for tree preservation easements for those areas discussed for existing tree rows and tree stands. In addition, the concept plan has been revised to modify the layout of the anticipated detention to avoid the existing tree stand near the northeast corner of the site.

2. Is there an area of land within the district that could be utilized for reforestation?

Yes. The concept plan and ordinance have been revised to incorporate an area for reforestation (as labeled on the Concept Plan) that is located along the north property line of the real estate. The exact size and configuration of the reforestation area will be determined once constraints of drainage easements and floodplain limitations are known at the time of the development plan approval stage.

3. What can be done to ensure that lighting from the district will not have a negative impact on adjoining residential properties?

The ordinance currently defaults to the Unified Development Ordinance's standards for lighting; however, the ordinance has been revised to incorporate more restrictive lighting standards regarding uniformity, decorative fixtures, fully cut-off fixtures, prohibition on neon lights, increased dimming requirements, and more restrictive maximum lighting levels abutting residential properties.

4. What will be done to ensure adequate buffering against the adjoining residential neighborhoods?

Based upon input and feedback from the neighbor meetings and public hearing, the ordinance has been revised to incorporate specific buffer yard requirements abutting existing residential neighborhoods. The buffer yards include a combination of tree preservation, mounds (where tree preservation is not otherwise required), increased buffer yard widths that incorporate the anticipated detention areas, and a mix of evergreen and shade trees. Furthermore, the ordinance has been revised to increase the minimum building setbacks in various areas based on the building's height.

5. How will this development impact traffic issues on surrounding roads and intersections?

The City's Comprehensive Plan designates this real estate as "Employment Corridor". A part of the City's Comprehensive Plan is the Thoroughfare Plan. In addition to the state-controlled limited access US Highway 31, the Thoroughfare Plan designates 191st Street as a Primary Arterial and East Street as a Secondary Arterial. Primary Arterials and Secondary Arterials are contemplated to consist of a four-lane road with eight-foot wide multi-purpose paths.

The appropriate rights-of-way for thoroughfares impacting the real estate have been dedicated or will be dedicated, if appropriate at the time of platting, to accommodate improvements by the City to these roadways. This includes the improvements to the corridors and intersections that have already occurred and that were done based on the anticipated development and land uses set forth in the Comprehensive Plan for both this real estate, as well as other real estate in the area.

One of the funding sources for the City to make future road improvements are road impact fees. As part of every improvement location permit within the City for a new building (residential or non-

residential), an applicant is required to pay a road impact fee¹ to the City for the City to then use to improve roadways within the community in accordance with the Thoroughfare Plan. Those fees are assessed based upon the City's calculations of the estimated impact on traffic for that particular land use and generally based upon the Institute of Transportation Engineer's Trip Generation Manual.

In addition to dedication of right-of-way in accordance with the City's Thoroughfare Plan and payment of road impact fees, developers are required to comply with the City's construction and design standards for the construction of streets and entrances within the development. Furthermore, developers are required to construct perimeter paths and sidewalks and as well as alternative transportation trails (e.g., Cool Creek Trail), as set forth in the City's Thoroughfare Plan.

At this time, and based on conversations with the Department of Public Works, the developer understands the City does not currently have plans for widening or restricting access to 191st Street and that the County anticipates constructing a round-about at 191st Street and Grassy Branch within the next two (2) years. Furthermore, the City Engineer noted that a traffic study is not necessary since it wouldn't inform the City of additional improvements that this development would necessitate. This zoning process is primarily focused on land uses and design; however, the developer will continue to coordinate with the Department of Public Works regarding infrastructure improvements as plats and development plans progress to the design stage and the construction and development plans are further reviewed by the City and Plan Commission.

As a result, the proposed development will not negatively impact the traffic that has otherwise been anticipated from the existing and planned zoning of this property and surrounding properties pursuant to the Comprehensive Plan and Thoroughfare Plan.

6. Can/should there be a limit to the number of multifamily units permitted?

Midtown at Westfield is proposed as a mixed-use live-work-play development that requires a variety of land uses and residential options to achieve the desired character and viability. The residential options could be in stand-alone buildings or within mixed-use buildings (e.g., located on upper floors above retail or office uses on the first or second floor). Additionally, residential options could include both owner-occupied and for-rent.

As a result, the exact number and mix of multifamily units is not known at this time and is anticipated to be incorporated organically. However, in an effort to address the request for consideration, the ordinance has been revised to incorporate a maximum number of multifamily units. The ordinance includes a maximum of three hundred and fifty (350) multifamily units, however, no more than two hundred and fifty (250) multifamily units may be in stand-alone buildings. This would accommodate potential additional multi-family units within the various mixed-use buildings.

¹ For context, a new single-family dwelling would pay \$3,018.40 in road impact fees to the City in 2019, whereas, a multi-story office building or hotel building may each pay several hundred thousand dollars.